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Letter to Mr. Bowditch.

Boston, March 28, 1868.

Dear Mr. Bowditch:

I greatly honor fidelity to one's own convictions of duty, and unswerving rectitude in the discharge of a sacred trust; yet, as there is but a step from the sublime to the ridiculous, so there is often seemingly but a hair's breadth between the right and the wrong side. The delusion is not infrequent where obstinate resolution is mistaken for firmness of purpose, and the excitement of the feelings for adherence to principle.

In the most friendly spirit, yet in perfect frankness, I have taken up my pen to express my surprise and regret at what fell from your lips yesterday, at the meeting of the Trustees of the Jackson bequest. I was prepared for anything in the shape of contumacy, on the part of Mr. Phillips, against the decree of the Supreme Court in regard to that bequest; because by his bitter aspersion, in the Anti-Slavery Standard, of such of the Trustees as do

not agree with him in opinion, and his unjust assault upon the Court, he had shown a state of mind wherein pride and passion seemed to hold mastery, so that I expected nothing of fairness in that direction. But, though previously informed that you agreed with him as to the particular manner of expending the bequest aforesaid, I did not suppose that you would prove to be as contumacious as himself in resisting the decree of the Court. It is not with any hope or expectation of changing your mind that I take this method of relieving my own, but simply to perform what I conceive to be a personal duty.

In the first place, — though I do not think you meant to be lacking in courtesy or justice to Mr. Quincy, Mr. May and myself, — there was an assumption on your part of better knowing the mind and purpose of Francis Jackson, and of being more faithful to the object he had in view, than ourselves, that was as uncalled for as it was offensive. I deny your claim or competency to represent Mr.

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Jackson more truly than either of us. In personal relationship, in social intimacy, and in long-tried anti-slavery labors with him, while he was living, we were at least your peers, and may fairly assume to judge in what manner he would have his legacy used as correctly as yourself. You might, therefore, have spared us, yesterday, all that you advanced on that point.

In the second place, did you not convict yourself of great inconsistency in saying that you believed, if Mr. Jackson could make known his wishes, he would give the entire legacy to the Women's Rights movement? For at the previous meeting of the Trustees, Mr. Phillips stated that he was authorized by you to say that you were in favor of giving at least one half, if not two-thirds, of the legacy to the Anti-Slavery Standard, and the balance to the Freedmen's cause.

In the third place, it is as idle as it is easy to speculate precisely in what way our deceased friend and co-worker would have his legacy used; for the decree of the Court

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is, that it shall be paid over to the New England Freedmen's Commission. We cannot lawfully use it for any other purpose. Because that decree is not in accordance with your judgment or wishes, you are resolved to disregard it, defy the Court, and take the consequences! Such, also, is the resolution of Mr. Phillips. "Not one dollar of the legacy will I ever vote into the treasury of the Freedmen's Commission" was his emphatic declaration. Another illustration of the peculiar manner in which he "gives the heartiest God-speed" to that Commission, — treating it with all possible contempt! This is simply to be lawless without justifiable cause, and therefore it is unseemly and culpable conduct. What do you mean to do with the money? Or, rather, what do you expect will be done with it? Dare you vote a dollar of it for any other society than that named by the Court? I hardly think you will venture upon that experiment. You may reply, "Let it remain unused." In what respect will that differ from the conduct of the dog in the manger?

In the fourth place, I consider your disparagement of the Supreme Court, in this particular matter, very undeserved. In the same breath in which he pours out his invectives upon the Court, in the Anti-Slavery Standard, Mr. Phillips does it the amplest justice in saying — "Slavery having been legally abolished, the Court ordered that the money bequeathed shall be used to carry out, as nearly as possible, what would be the wishes of the testator." With this friendly and equitable animus of the Court fully admitted, you and he can, at the worst, impeach only its judgment, not its intentions. Moreover, to the extent that you assail the Court as actuated by hostile or conservative feelings, you also assail Mr. Quincy, Mr. May, and myself; for you know that we cordially concur in the decision of the Court, and believe it impossible to expend the contested legacy in a better manner for the very class for whom it was intended, than through the Freedmen's Commission. If that is your opinion of us, we can only very deeply regret that we have fallen so low in your estimation,

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that mutual esteem and confidence must here terminate. For he who declares or insinuates that I am false to a sacred trust, and recreant at last to a cause to which nearly forty years of my life have been devoted, cannot consistently keep me on his list of friends; nor, knowing as I do such declaration or insinuation to be utterly false, can he reasonably expect or care to have a place on my list. Differences of judgment, to the widest extent, may be entertained without a breach of friendship; but accusations affecting personal integrity and honor necessarily subvert all personal respect.

In the fifth place, I call your attention to the fact that Mr. Phillips, in making his appeal, first to the Master in Chancery, and next to the Court, in support of his side of the question, did so technically and exclusively in behalf of the Anti-Slavery Standard, and not of the American Anti-Slavery Society. Our friend Mr. Sewall expressed to me his surprise that Mr. Phillips should have done so; stating, as his own conviction, that no Court in the coun-

try would think of ordering a legacy like this to be paid over to sustain a paper not self-supporting, with a very limited circulation, and no longer peculiar in its principles or doctrines. An appeal in behalf of the Anti-Slavery Society, instead of the Standard, might have been, to some extent at least, successful; but no such appeal was made; and the Court could consider only the specific proposition before it.

In the sixth place, it looked to me like a disposition, on the part of Mr. Phillips and yourself, to procrastinate the case by quibbling, on the pretence that no statement was before the Trustees, from the Freedmen's Commission, in regard to its needs and plans. The reason why no such statement was presented was, that it was deemed unnecessary by the Commission, inasmuch as the Trustees knew what their instructions were from the Court, and also had reason to know that every dollar was pressingly needed by the Commission to carry on its operations, (for are there not millions of freedmen to be educated?) — and therefore it was for the

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Trustees to take the initiative. Nevertheless, as you and Mr. Phillips chose to make this a pretext for non-action, it shall be taken from you as soon as the Commission shall have time to act on the subject. Of course, it will not alter your purpose to nullify the decree of the Court; but it will certainly leave you one excuse less for your extraordinary behavior, and afford the Court an opportunity to take such action in the premises as it may deem necessary.

Lastly, you declared that you had no idea of voting any portion of the legacy "to pay for a dead horse" — in other words, for the indebtedness of the Commission. That is to beg the question. Even since the judgment of the Court was rendered, nine months ago, the Commission, not doubting that it would be honorably carried out to the letter by the Trustees, has laid out its plans and incurred liabilities accordingly. To whom belongs "the dead horse"?

Faithfully yours,

Wm. Lloyd Garrison.

N. B. There is no "dead horse" to be paid for.

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